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18 Samsung Electronics America, Inc., and
19 Samsung Research America, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HUAWEI TECHNOLOGIES CO., LTD., et al.,

CASE NO. 16-cv-02787-WHO

Plaintiffs,

**DECLARATION OF SAM STAKE IN
SUPPORT OF SAMSUNG'S
OPPOSITION TO HUAWEI'S MOTION
FOR SUMMARY JUDGMENT**

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

SAMSUNG ELECTRONICS CO., LTD. &
SAMSUNG ELECTRONICS AMERICA, INC.,

Counterclaim-Plaintiffs,

v.

HUAWEI TECHNOLOGIES CO., LTD.,
HUAWEI DEVICE USA, INC., HUAWEI
TECHNOLOGIES USA, INC. & HISILICON
TECHNOLOGIES CO., LTD.,

Counterclaim-Defendants.

CASE NO. 16-cv-02787-WHO

DECLARATION OF SAM STAKE ISO SAMSUNG'S OPPOSITION TO HUAWEI'S MSJ

1 I, Sam Stake, declare as follows:

2 I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for
3 Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics
4 America, Inc., and Defendant Samsung Research America, Inc. (collectively, "Samsung"). I
5 submit this declaration in support of Samsung's Opposition to Huawei's Motion for Summary
6 Judgment.

7 1. I have personal knowledge of the facts set forth in this declaration, and, if called
8 upon as a witness, I could and would testify to such facts under oath.

9 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
10 transcript of the deposition of Jason Ding, dated March 20, 2018.

11 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
12 transcript of the deposition of Xuxin Cheng, dated March 21, 2018.

13 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from Michael J.
14 Lasinski's report submitted in this action, dated April 27, 2018.

15 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the
16 transcript of the deposition of Xuxin Cheng, dated March 22, 2018.

17 6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the
18 transcript of the deposition of Liuping Song, dated May 10, 2018.

19 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from Jerry A.
20 Hausman's report submitted in this action, dated April 27, 2018.

21 8. Attached hereto as Exhibit 7 is a true and correct copy of a letter to Assistant
22 Attorney General Makan Delrahaim titled "Speeches on Patents and Holdup," dated May 17,
23 2018.

24 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the
25 transcript of the deposition of Hojin Chang, dated May 31, 2018.

26 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from Dr.
27 Hausman's rebuttal report submitted in this action, dated May 25, 2018.

28 11. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from Gregory

1 K. Leonard's report submitted in this action, dated April 27, 2018.

2 12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from a certified
3 translation of a Huawei technical document produced in this case at SAMSUNG-HNDCA-
4 000614275-614370.

5 13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from a certified
6 translation of a Huawei technical document produced in this case as SAMSUNG-HNDCA-
7 000614371-614439.

8 14. Attached hereto as Exhibit 13 is a true and correct copy of excerpts from 3GPP
9 Technical Specification 36.213 v8.7.0 produced in this case as SAMSUNG-HNDCA-000009496-
10 9572.

11 15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the
12 Opening Expert Report of Paul Prucnal, Ph.D. Regarding Infringement of U.S. Patent Nos.
13 RE44,105, 8,509,350, and 9,113,419.

14 16. Attached hereto as Exhibit 15 is a true and correct copy of excerpts from Huawei's
15 March 9, 2018 Supplemental Responses to Samsung's Interrogatories.

16 17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the
17 Transcript of the June 15, 2018 Deposition of Paul R. Prucnal, Ph.D.

18 18. Attached hereto as Exhibit 17 is a true and correct copy of Exhibit 834 introduced
19 at the June 15, 2018 deposition of Paul R. Prucnal, Ph.D.

20 19. Attached hereto as Exhibit 18 is a true and correct copy of excerpts from Exhibit E
21 to Samsung's Infringement Contentions (10/25/2016) relating to U.S. Patent No. 8,509,350.

22 20. Attached hereto as Exhibit 19 is a true and correct copy of excerpts from the
23 Rebuttal Expert Report of Dr. Mark Mahon, Ph.D. Regarding Non-infringement of U.S. Patent
24 No. 8,761,130.

25 21. Attached hereto as Exhibit 20 is a true and correct copy of excerpts from the
26 Opening Expert Report of Nicholas Bambos, Ph.D. Regarding U.S. Patent Nos. 8,761,130 and
27 8,619,726.

28 22. Attached hereto as Exhibit 21 is a true and correct copy of the Declaration of

1 Nicholas Bambos, Ph.D. In Support of Samsung's Opposition to Huawei's Motion for Summary
2 Judgment and Huawei's *Daubert* Motion.

3 23. Attached hereto as Exhibit 22 is a true and correct copy of excerpts from the
4 Transcript of the November 3, 2017 Deposition of Aris Papasakellariou, Ph.D.

5 24. Attached hereto as Exhibit 23 is a true and correct copy of excerpts from the
6 Transcript of the June 20, 2018 Deposition of Mark Mahon, Ph.D.

7 25. Attached hereto as Exhibit 24 is a true and correct copy of excerpts from the
8 Transcript of the July 12, 2018 Deposition of Nicholas Bambos, Ph.D.

9 26. Attached hereto as Exhibit 25 is a true and correct copy of excerpts from the
10 Opening Expert Report of Matthew Valenti, Ph.D. Regarding Infringement of U.S. Patent No.
11 9,288,825.

12 27. Attached hereto as Exhibit 26 is a true and correct copy of the Merriam-Webster
13 definition of "indicate" available at <https://www.merriam-webster.com/dictionary/indicate> printed
14 on July 17, 2018.

15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct to the best of my knowledge. Executed July 17, 2018, in South Lake
17 Tahoe, California.

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/s/ Sam Stake

Sam Stake

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ATTTESTATION

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Sam Stake has concurred in the aforementioned filing.

/s/ Victoria F. Maroulis

Victoria F. Maroulis